

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

M. Kelly Jones

Serial No.: 08/852,119

Filed: May 6, 1997

For: ADVANCE NOTIFICATION SYSTEM  
AND METHOD UTILIZING A  
COMPUTER NETWORK

Art Unit: 3614

Examiner: Louis-Jacques, J.

Docket No.: 050711-1026

# 23/ *unclear*  
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7-22-91DECLARATION UNDER 37 C.F.R. §1.131BY M. KELLY JONES

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I, Martin Kelly Jones, declare as true, the following:

1.

I am the inventor of the inventions defined in the pending claims of the above-identified patent application.

2.

Long before May 14, 1993, I conceived of an advance notification system that would notify a user, in advance, preferably by a telephone call, of the impending arrival of a vehicle at a stop location, so that the user would be given advance notice for a pickup and/or delivery of an item at the stop location. I discussed and initially designed the system with Mr. Mark Stubbins. In one of the specific implementations

EXHIBIT

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that we discussed and designed, a location tracking device, for example, a vehicle odometer or a global positioning system (GPS) receiver, which communicates with GPS satellites, would be used on each vehicle for determining the precise location of each vehicle in real time. Other additional sensors could be used for cross checking a school bus stop, such as an open school bus door, the flashing lights, and stop sign that visually notifies other vehicles and individuals of a stopped school bus. Each vehicle would also have a transmitter or transceiver, such as a cellular telephone, *etc.*, which would be used to contact the passengers at their houses when the vehicle was a predetermined time period or predetermined distance, or at a specific location (street address) from a stop location. A computer or microprocessor based unit on each vehicle would be used to control the foregoing communication devices.

3.

Accordingly, I believe that I completed the invention defined by the pending claims of the above-identified patent application prior to May 14, 1993. Specifically, I conceived of the advance notification system described by the pending claims of the above-identified application prior to May 14, 1993, and I believe that due diligence was exercised from prior to May 14, 1993, to May 18, 1993, the filing date of the above-identified application. In support thereof, I hereby submit Exhibits B-G. Exhibits E-G show that I discussed the invention with others prior to May 14, 1993, and that I, therefore, must have conceived of the present invention prior to May 14, 1993. Furthermore, Exhibits B-D show that I and my attorney diligently worked on preparing the above-identified application from at least May 10, 1993, to May 18, 1993. Specifically, I believe that Exhibits B-D show that the following facts occurred between May 10, 1993, and May 18, 1993, and demonstrate continuous diligence during this time period:

on May 10, 1993, my attorney Scott Horstemeyer revised the claims of the aforementioned patent application and met with myself and co-inventors (regarding parent application that issued as U.S. Patent No. 5,400,020) for about 2.5 hours;

on May 11, 1993, my attorney spent about 5.1 hours revising the aforementioned patent application, preparing the formality documents (*i.e.*,

Combined Declaration and Power of Attorney, Small Entity Statement, and Assignment), and drafting a letter to the inventors forwarding the final version of the application and the formality documents for their review and signature;

on May 12, 1993, my attorney reviewed and sent the letter to me via U.S. mail, a copy of which is submitted herewith as Exhibit D, along with the final version of the aforementioned patent application and formality documents (*i.e.*, Combined Declaration and Power of Attorney, Small Entity Statement, and Assignment) that needed to be signed by the inventors;

between May 13, 1993, and May 15, 1993, I received and reviewed for accuracy the final version of the application and the formality documents, signed the formality documents (and had the Assignment notarized), and mailed the application and the formality documents back to me;

May 15, 1993 was a Saturday, and May 16, 1993, was a Sunday (no mail on this day); and

on May 17, 1993, my attorney received the application and formality documents from the inventors, had a conversation with the draftsman regarding the formal drawings, reviewed these documents, prepared the application transmittal cover sheet and return post card for the application and formality documents, and filed the application and related documents; my attorney billed about .6 hours for the aforementioned services.



4.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Martin Kelly Jones

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Date